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Attorney/Docket No. 31132.00237  
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Ferguson, et al.

Serial No. : 10/799,178

Filed: March 12, 2004

For: Technique and Instrumentation for  
Intervertebral Prosthesis Implantation Using  
Independent Landmarks

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§ Group Art Unit: 3732  
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§ Examiner: Unknown  
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INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

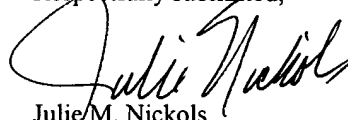
In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

  
Julie M. Nickols  
Registration No. 50,826

Date: Aug 23, 2004  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 972-739-86340  
Facsimile: 214-200-0853  
File: 31132.237

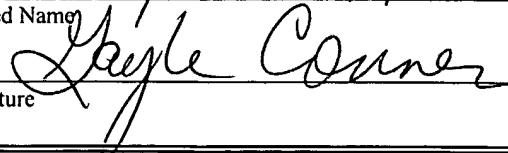
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In place of PTO-1449 Form		U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Application Number		10/799,178	
		Filing Date		March 12, 2004	
		Applicant(s)		Ferguson, et al.	
		Art Unit		3732	
		Examiner Name		Unknown	
SHEET	1	OF	1	Attorney Docket Number	31132.237

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication/filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	5865846	02/02/1999	Bryan, et al.
	A2	6083228	07/04/2000	Michelson
	A3	6159214	12/12/2000	Michelson
	A4	6224607	05/01/2001	Michelson
	A5	10/303,569	11/25/2002	Bryan, et al.
	A6	6517544	02/11/2003	Michelson
	A7	10/698,185	10/31/2003	Bieler, et al.
	A8	6692501	02/17/2004	Michelson
	A9	10/799,835	03/12/2004	Ferguson, et al.
	A10	6740087	05/25/2004	Knox

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume- issue number(s), publisher, city/country where published
	C1	VINCENT BRYAN, M.D., "Bryan Cervical Disc System; Single Level Surgical Technique", Spinal dynamics Restoring Function, 2002, pages 1-34.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.